

STATE OF NEW HAMPSHIRE  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

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Declaratory Judgment	:	
SUPERVISORY UNION THIRTY-TWO	:	CASE NO. T-0290:2
MASCOMA VALLEY REGIONAL SCHOOL DISTRICT	:	DECISION NO. 80006
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APPEARANCES

Representing the Mascoma Valley Regional School District:

John B. Hammond, Chairman, School Board  
Paul D. Rice, Assistant Superintendent  
Edwin C. Johnson, School Board Member

Representing the Mascoma Valley Teachers' Association:

John Fessenden, UniServ Director, NHEA/NEA  
Mary N. Dickenson, Mascoma Teachers' Association  
John H. Moses                   "           "           "  
G. Hardy                         "           "           "

BACKGROUND

On December 26, 1979, the Mascoma Valley Regional School Board requested PELRB render a definitive ruling on the language "This salary schedule shall be implemented", as to its negotiability; i.e., permissive or mandatory.

The School District's position was that the language was not legally negotiable under the language of 273-A:12, V. and based on their opinion that such language would exceed the authority granted to school boards by the appropriate legislative body, quoting the statute which states:

"no such procedure shall bind the legislative  
body on matters regarding cost items."

The Teachers Association declared impasse and on January 3, 1980 requested PERLB appoint a mediator to help resolve their dispute.

PERLB held a hearing on January 17, 1980 to hear arguments from both parties. After hearing the testimony, they issued the following verbal decision:

DECISION AND ORDER

Pending full decision on the negotiability of the language in question, the Board issued the following temporary order:

- A. Both parties are hereby ordered to conduct three good faith negotiating sessions on all items in dispute prior to declaring impasse and pending a decision of this Board on the declaratory judgment.
- B. Further, the parties are ordered to furnish this Board with a progress report at the end of the second negotiating session.



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EDWARD J. HASELTINE, Chairman  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Signed this 24th day of January, 1980

By unanimous vote of the Board: Chairman Haseltine presiding, members Anderson and Cummings present and voting. Also present, Executive Director Evelyn C. LeBrun.